

PORT AND RESOURCE RECOVERY DEPARTMENT

Brown County

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DEAN R. HAEN
DIRECTOR

PROCEEDINGS OF THE BROWN COUNTY HARBOR COMMISSION

A meeting was held on **Monday, December 9, 2013**
Associated Bank, 200 N. Adams Street, Green Bay, WI

1) The meeting was officially called to order by Neil McKloskey at 11:30 am.

2) Roll Call:

Present: President Neil McKloskey
Commissioner Bernie Erickson
Commissioner Hank Wallace
Commissioner John Hanitz
Commissioner Tom Klimek

Excused: Commissioner Greg Flisram
Commissioner Bryan Hyska

Not Excused: Vice-President Craig Dickman
Commissioner Ron Antonneau

Also Present: Dean Haen, Brown County P&RR
Mark Walter, Brown County P&RR
Chad Doverspike, Brown County P&RR
Aaron Schuette, Brown County Planning & Land Services

3) Approval/Modification – Meeting Agenda

A motion to approve the agenda was made by Hank Wallace and seconded by John Hanitz. Unanimously approved.

4) Approval/Modification – October 14, 2013 Meeting Minutes

A motion to approve the minutes of October 14, 2013 was made by Tom Klimek and seconded by Bernie Erickson. Unanimously approved.

5) Port Development Study by Aaron Schuette, Brown County Planning & Land Services Department – Request for Approval

The *Port of Green Bay Economic Opportunity Study* identifies properties within the four port-related and/or industrial use opportunity areas that if redeveloped for port-related uses would maximize the return on investment for the Port of Green Bay, Brown County, and Northeastern Wisconsin in terms of compatible land uses, projected employment, tax revenues, and overall contribution to the economy. The study also identifies potential resources for the Port to utilize, including grants and services, as well as opportunities for the Port to capitalize upon, such as its designation as a Foreign Trade Zone. Included is an overview of the Port of Green Bay; its history and current state. There are 14 independent private terminal operators who utilize the Port moving an average of two million tons of cargo on an average of about 200 ships each year.

As a component of this study, a survey of the 17 existing port operators (3 inactive operators) was prepared to ascertain their current and future needs and how the Port of Green Bay can help to facilitate the growth of their business. Of the 17 port terminal operators, seven responses were received within three weeks of the initial distribution and follow-up email. Six indicated no need for additional land, while one indicated a need for additional land to accommodate business growth of approximately 7%- 8% per year. Four stated that dredging of the Fox River and at a minimum maintaining the shipping channel depth and width is a primary concern. One stated that increasing the shipping channel to Seaway draft of 26'-27' will be needed to compete with other ports for new opportunities. One stated a new shipping canal north of Atkinson Drive, northwest of the Fox River would be beneficial. It was also stated that government regulations were a reason for closed export markets for their product.

Environmental Conditions is another part of the study. For future projects or future grant applications it will be important to discover the linkage between sedimentation/run-off and port operations. This would either be for additional dredging for the port or for the Land and Water Conservation Department or GBMSD when they try to work with the farmers to reduce agricultural run-off. All the sedimentation flows from the tributaries into the Fox River and Green Bay, then settles out in the navigation channel adding to the dredging costs.

Port development consists of four port related opportunity areas from the waterfront plan. The North and South Bayport area is heavily industrialized. The East shore paper-mill area, Georgia Pacific, and the West shore paper-mill area there were 11 different properties/parcels that are considered vacant, underutilized, or the current uses are not dependent upon current waterfront locations. Each of the properties was inventoried.

The U.S. Maritime Administration's port economic impact software kit was used to help identify some of the Port's costs and the return on investment from the Port's infrastructure investments. Examining properties that were adjacent to each other, the eleven properties could be combined to form a total of six larger sites. Research determined an idea of

development costs, jobs per million dollars of expenditure, total income per million dollars of expenditure and gross state product per million dollars of expenditure.

General recommendations of the port study include: working with the U.S. Army Corps of Engineers to, at a minimum, maintain the existing shipping channel depth; coordinate with the U.S. EPA regarding PCB hydraulic dredging; advance negotiation of framework lease agreements with non-port related waterfront users to expedite siting of new port users; continue to investigate uses for the beneficial reuse of clean dredge materials; support the efforts of the Brown County Land and Water Conservation Department; maintain open lines of communication with the existing port operators; and, maintain open lines of communication with the city of Green Bay.

A motion to approve the *Port of Green Bay Economic Opportunity Study* was made by Bernie Erickson and seconded by Neil McKloskey. Unanimously approved.

6) Northeast Asphalt Property Sale – Update

The property sold at \$10,000 per acre, with the department retaining ownership of an easement to Atkinson Road.

7) WDNR Dredging Permit Letter – Update

A letter was sent to Ken Johnson, Administrator of the Water Division from the Wisconsin Department of Natural Resources and Jason Serck, President of the Wisconsin Commercial Ports. At the summer Wisconsin Commercial Ports Association meeting the DNR explained that they were looking at changing the dredging approval process in the state. One change being contemplated was determining when the dredged material is considered solid waste. It currently is considered solid waste once it gets to shore. Under the proposal, the material would be considered dredged material as soon as the material comes out of the channel and is over the dredge scow, resulting in the requirement to test and potentially treat the carriage water released from the scow. This would significantly increase the dredging cost of small one-time dredging applicants, like the Brown County Parks Department when they are dredging the Wrightstown boat launch. This would hurt the one time users, private businesses, and government entities that have boat launches, etc. The intent of the letter is to point out that this is subjective and the fact that the DNR cannot regulate the US Corps of Engineers does 80%-90% of the dredging in the state. Jason Serck followed up with the State and he seems to think the DNR has recognized the concerns and will not be advancing the changes.

8) Cat Island Chain Restoration Project – Update

The US Army Corps of Engineers has completed a majority of the project for this year. There will not be any more rock work out on the Island except some stockpiling rock work at the off-loading facility for next year's placement at the toe of the sheet piling for scour protections after dredging. The full entrance gate has been put back up.

There are a variety of management issues that now have to be dealt with such as public access. The intent is not to have the site open to public access. Next year when the department goes to dredge the off-loading facility an Project Partnership Agreement amendment will be needed, in addition the amendment will address that removal of the connection between the islands and associated cost share.

The department received an email from the Wisconsin Department of Natural Resources granting permission to dredge. The final plans for next year are to rebuild Lineville Road and dredge the off-loading facility.

9) Renard Island Closure

Peters Concrete is starting the Renard Island Closure project as part of a Federal contract with the US Army Corps of Engineers. The causeway has been lowered by two feet to accommodate two-way traffic. The US Army Corps of Engineers will replace the causeway stone or complete removal of the causeway, if Brown County can not receive DNR approval of the causeway as a permanent structure. Staff put together a letter to the DNR and an application asking what was needed to make the causeway permanent. The DNR has responded that the culverts originally designed and authorized were reviewed as means to provide temporary navigation for a temporary structure. The structure as-built does not offer reasonable means of navigation for a permanent solution. When the causeway was being built, staff had asked the DNR at that time to make sure this was permitted assume Brown County would come back and request the causeway remain as permanent structure. Their design feature was an 84 inch culvert and now DNR are indicating the culvert is not good enough. Staff had asked the DNR what design features are acceptable. Brown County Public Works Department is going to price the design feature. Any decision regarding the causeway needs to be figured out by April because the US Army Corps of Engineers will exercise the contract option for removal.

10) WCPA Visioning Document – Update

The department has been working with National Center for Freight & Infrastructure Research & Education (CFIRE) on getting the Wisconsin Commercial Ports Development Initiative moving forward. This is a year-long project that will include the state's ports, industries and logistics sector to create a strategic plan and development initiatives that will help increase commercial development of Wisconsin's ports and support local and statewide economic development. The CFIRE-led team will assess Wisconsin's port infrastructure, their current and potential markets and related policies and programs. These assessments will then be used to create a strategic action plan to attract sustainable markets, encourage community development, direct policy and programs in support of the state's ports and support the economic growth of Wisconsin's commercial ports. A draft timeline has been established. Ernie Perry has been working with WisDOT and is currently collecting data around the state for the Port's to see what information they have. Ernie also has four or five students actively working on data collection through survey's and telephone calls.

Director's Report

The 2013 shipping season is coming to a close for the year. Effective December 1st, the port is operating on a daily basis with 12 hour notices for the bridge tenders. With the weather conditions, CN was allowed to close the railroad bridge by Graymont Western Lime also with a 12 hour notice to open. As it gets cold that bridge has a hard time swinging open or close.

Passage of the Water Resource Development Act is progressing with passage expected in January.

Staff attended a Port Conference in Chicago and gave a presentation on Cat Island to the Great Lakes Ports, stakeholders and Legislators. The presentation was very well received which could result in more national recognition. This was also covered by media.

At NEW North Summit, the Governor had mentioned the Port at least the past three times during his presentation. Public relations have taken off and the Port is becoming more recognizable.

Calumet Specialty Products Company initiated a permitting process with the WDNR to construct an oil loading dock adjacent to its refinery in Superior, WI. The company's intent is to move up to 13 million barrels of crude oil by vessel each year out of the facility. Two Great Lakes environmental organization have initiated studies to collect facts, define their position and draw attention to this issue. The study will specifically lay out their view of the risk of spills from vessel using historic data from the Coast Guard. The study will also review existing oil transport safety and recovery laws and highlight what they believe are gaps in the laws.

Brown County Parks Department did a virtual tour of their facilities on their websites. The department is thinking next year of doing a video of the port from the perspective a commercial vessel.

11) Audit of Bills – Request for Approval

A motion to approve the Bills was made by Hank Wallace and seconded by Neil McKloskey. Unanimously approved.

12) Tonnage Report – Request for Approval

November's tonnage had a slight increase from October's tonnage report. The tonnage went from 11% to up to 15%, end of November. The tonnage also surpassed 2 million tons for the year, most based on increase coal and limestone.

A motion to approve the September Tonnage Report was made by Bernie Erickson and seconded by Neil McKloskey. Unanimously approved.

13) Such Other Matters as Authorized by Law

None

14) Adjourn

A motion to adjourn was made by Hank Wallace and seconded by Tom Klimek.
Unanimously approved. Meeting adjourned at 12:49 pm.

Neil McKloskey, President
Harbor Commission

Dean R. Haen, Director
Port & Resource Recovery Department